

BILL ANALYSIS

Senate Research Center

H.J.R. 26
By: Berman (Deuell)
Finance
5/12/2006
Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Currently, Section 1-b(d) (Residential Homestead Exemption), Article VIII, Texas Constitution, states that homeowners who are 65 years of age or older, or homeowners who have a disability, are eligible to receive a ceiling on the amount of school property taxes they will owe on their homestead.

H.J.R. 26 proposes a constitutional amendment to allow for the reduction of the total amount of ad valorem taxes that may be imposed by a school district on the residence homestead of an elderly or disabled person in proportion to any reduction in the tax rate of the school district.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1-b(d), Article VIII, Texas Constitution, as follows:

(d) Provides that the legislature by general law may provide for the reduction of the amount of a limitation provided by this subsection to reflect any reduction from the preceding year in the tax rate for general elementary and secondary public school purposes applicable to a residence homestead. Authorizes a general law providing for the reduction of the amount of a limitation provided by this subsection to reflect any reduction from the preceding year in the tax rate for general elementary and secondary public school purposes applicable to a residence homestead to, for purposes of computing the amount of the limitation for the 2007 tax year and subsequent tax years, also take into account any reduction in the tax rate for those purposes from the 2005 tax year to the 2006 tax year if the homestead was subject to the limitation in the 2006 tax year.

SECTION 2. Provides that the following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) Provides that this temporary provision applies to the constitutional amendment proposed by the 79th Legislature, 3rd Called Session, 2006, authorizing the legislature to provide for a reduction of the limitation on the total amount of ad valorem taxes that may be imposed for public school purposes on the residence homesteads of the elderly or disabled to reflect any reduction in the rate of those taxes and expires January 1, 2008.

(b) Makes application of Section 1-b(d), Article VIII, of the amendment to this constitution prospective to January 1, 2007.

SECTION 3. Requires the proposed constitutional amendment to be submitted to the voters at an election to be held on November 7, 2006. Sets forth the specific language for the ballot.